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ATTORNEY GENERAL
MINISTER OF JUSTICE

Room 104
Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

The Honourable Philip Lee
Lieutenant Governor of Manitoba
Room 235 Legislative Building
450 Broadway
Winnipeg MB R3C 0V8

May It Please Your Honour:

I have the honour of presenting the Fifteenth Annual Report of the Civil Legal Services Special Operating Agency for the fiscal year ended March 31, 2010.

Respectfully submitted,

ORIGINAL SIGNED BY

Andrew Swan
Minister of Justice
Attorney General

Manitoba

Justice
Deputy Minister of Justice and Deputy Attorney General
Room 110 Legislative Building, Winnipeg, Manitoba, Canada R3C 0V8

July 30, 2010

Honourable Andrew Swan
Minister of Justice
Attorney General
Room 104 Legislative Building
450 Broadway
Winnipeg MB R3C 0V8

Dear Minister:

I am pleased to submit for your consideration the Fifteenth Annual Report of the Civil Legal Services Special Operating Agency for the fiscal year ending March 31, 2010.

The results of the 2009/10 fiscal year indicate that Civil Legal Services (CLS) has operated successfully and effectively by focusing on client service. The results also indicate that the advantages of SOA status, including the flexibility to hire staff as required to provide service levels appropriate to client demand, the ability to plan on a long term basis, and the ability to acquire equipment and supplies that support effective operation and promote a good working environment, are essential to CLS sustaining the provision of high quality legal services to its clients and in recovering the full cost of its operations.

The Advisory Board is pleased with the continued success of CLS and encouraged by the commitment of its employees and the support of its clients.

All of which is respectfully submitted,

ORIGINAL SIGNED BY

Jeffrey A. Schnoor, Q.C.
Deputy Minister of Justice
Deputy Attorney General

Manitoba

Justice
Civil Legal Services SOA
Room 730 Woodsworth Building
405 Broadway
Winnipeg MB R3C 3L6

July 30, 2010

Foreword

It is with great pleasure that I present the Fifteenth Annual Report of the Civil Legal Services (CLS) Special Operating Agency.

This report provides an overview of CLS and outlines its accomplishments during its fifteenth year (2009/10) as a Special Operating Agency (SOA).

The members of CLS are committed to providing timely, quality, helpful, efficient and cost effective legal services that meet the needs of its clients.

The results described in this annual report reflect the commitment and cooperation of all members of CLS.

ORIGINAL SIGNED BY

C. Lynn Romeo
Director

PROFILE OF CIVIL LEGAL SERVICES

Civil Legal Services

The role of Civil Legal Services ("CLS") flows from the constitutional and statutory[1] responsibilities of the Minister of Justice as the Chief Legal Advisor to government and the guardian of the public interest. Acting pursuant to government policy, Civil Legal Services is responsible for providing a full range of high quality legal services, on a cost recovery basis, to its clients, namely the Government of Manitoba, the government's agencies, boards and committees and some Crown corporations.

Special Operating Agency Status

CLS remains a branch within the Department of Justice of the Province of Manitoba and is accountable to the Deputy Minister and Minister for operational and financial performance. As a special operating agency, CLS operates outside of the Consolidated Fund and under the Special Operating Agencies Financing Authority ("SOAFA"), which holds title to CLS's assets, provides financing for operations and is responsible for CLS's liabilities. Accountability is supported by CLS's compliance with its Operating Charter, transfer agreement, management agreement, applicable General Manual of Administration policies and *The Special Operating Agencies Financing Authority Act* ("*The SOAFA Act*").

The increased management authority and more rigorous planning and reporting requirements afforded by special operating agency ("SOA") status have assisted CLS in sustaining the provision of high quality legal services to its clients.

[1] The statutory basis for the Minister's responsibility is set out in sections 2 and 2.1 of *The Department of Justice Act*, C.C.S.M. c. J35.

MISSION, OPERATING PRINCIPLES AND CRITICAL SUCCESS FACTORS

Mission of CLS

CLS's mission is to provide timely, high quality, helpful, efficient and cost-effective legal services that meet the needs of its clients, namely, the Province of Manitoba and the province's agencies, boards, commissions and those Crown organizations to which CLS provides legal services.

Operating Principles

CLS's mission and goals are supported by the following operating principles:

- service is customer focused
- service is cost-effective
- a commitment to the highest standards of service

Critical Success Factors of CLS

Factors critical to the success of CLS are:

- providing timely, high quality, helpful, efficient, cost-effective legal services that meet the needs of its clients;
- determining its effectiveness in meeting its clients' needs;
- identifying better ways to meet its clients' needs for legal services;
- improving communication between CLS and its clients and communication within CLS;
- improving job satisfaction; and
- developing means to assist staff to work as effectively as possible to satisfy changing client needs and to make adjustments to deal with increasing work loads, deadlines and the pressure of reduced resources.

COST RECOVERY BY CIVIL LEGAL SERVICES

On April 1, 1992, CLS became the first government legal services office in Canada to recover the cost of providing legal services to its clients.

On April 1, 1995, CLS commenced operation as a special operating agency.

In fiscal year 2009/10, clients were billed at the rate of $158.00[2] per hour for services provided by CLS counsel, being the amount required to cover all of CLS's costs and break even. All of CLS's costs are covered by this hourly rate, including salaries, operating costs (including rent) and employee benefits (including pension benefits).

The CLS cost recovery system operates in a fashion similar to billing systems used by private law firms. Time spent by counsel in providing services is billed in increments of one-tenth of an hour. Each counsel keeps a daily record of time for services provided, indicating the client for whom the work was performed, the file on which work was performed, a brief description of the service provided and the amount of time expended. In fiscal year 2009/10, clients were provided with detailed statements of account showing the services provided on each file on a monthly basis.

2

Year	Hourly Rate
95/96	$97
96/97	$97
97/98	$97
98/99	$97
99/00	$101
00/01	$105
01/02	$123*
02/03	$126
03/04	$129
04/05	$133
05/06	$137
06/07	$137
07/08	$148**
08/09	$151
09/10	$158

*In 2001/02, CLS increased its hourly rate by $4.00 to $109.00 per hour for services provided by CLS counsel. The rate of $109.00 per hour made no provision for increased salary costs. Effective November 1, 2001, CLS increased its hourly rate to $123.00 per hour to cover the increased salary and benefit costs resulting from the arbitration award for the Manitoba Association of Crown Attorneys (MACA).

**Similarly, in 2007/08, CLS maintained an hourly rate of $137.00 for part of the fiscal year. The rate of $137.00 per hour made no provision for increased salary costs. Effective October 1, 2007, CLS increased its hourly rate to $148.00 per hour to cover the increased salary and benefit costs resulting from the new collective agreement with MACA.

LEGAL SERVICES

CLS Services

CLS provides a full range of legal services in the following areas:

- Aboriginal Law
- Access to Information and Privacy Law
- Administrative Law
- Civil Litigation
- Constitutional Law
    - assisting the Constitutional Law Branch in some cases involving the application of the *Canadian Charter of Rights and Freedoms* and in Aboriginal self-government issues
    - providing advice on the constitutional division of powers and taxation issues
- Contracts and Agreements
- Conveyancing
- Corporate and Commercial
- Information Technology
- International Law
- Legal Opinions
- Legislative Review and Policy Development (which occasionally includes drafting legislation)
- Training and Education

Use of Outside Counsel

CLS provides most, but not all, civil legal services to government and its agencies. In appropriate circumstances, at the request of a client, outside counsel is retained by the Department of Justice, through CLS.

The current policy respecting the circumstances when outside counsel are retained provides considerable flexibility in meeting the clients' needs. At the request of a client, the Department of Justice, through CLS, will continue to retain outside counsel on a case by case basis where:

(a) the type of legal service required involves a degree of specialization which is not ordinarily available within CLS;

(b) the nature of the matter creates a conflict of interest for government legal counsel;

(c) it is more cost-effective to retain outside counsel; or

(d) the matter is of such magnitude that it would not be possible for CLS to provide the services while continuing to meet the needs of other clients.

STRUCTURE OF CIVIL LEGAL SERVICES

Staff

As of March 31, 2010, CLS staff consisted of:

- 1 director
- 33 legal counsel *(31 in regular positions and 2 in term positions)*
- 1 administrative officer
- 19 administrative assistants *(15 in regular positions and 4 in term positions)*
- 1 financial officer
- 1 accounting clerk
- 2 articling students

CLS supports flexible work arrangements, including job sharing, part-time work arrangements and flexible hours, to accommodate the balancing of career and family. During 2009/10, two legal counsel and five administrative assistants worked in varied work arrangements.

Key Personnel

All members of CLS are key personnel and are committed to using their best efforts to advance the CLS mission of providing timely, high quality, helpful, efficient and cost-effective client-focused services. The provision of legal services requires a strong knowledge of the law and government issues as well as a high degree of collaboration, cooperation and consultation among members of CLS and with other counsel in the Department of Justice. All members have demonstrated these skills. They have also worked extremely hard to meet the service and operational goals of CLS.

Members of CLS are encouraged and given support to upgrade their skills.

Organization of Counsel

Legal counsel are divided into four teams, each headed by a team leader.

One team is designated as the litigation team and the members of this team perform most of the CLS litigation work. Litigation coming into the office is generally assigned to counsel by the litigation team leader. The second team consists of counsel whose area of practice is primarily corporate, commercial and information technology law. The third team, the Crown law team, consists of counsel who provide a wide range of legal services, including in the area of access to information and privacy. The fourth team of counsel practice primarily, but not exclusively, in the field of Aboriginal law and resource law.

The only legal position dedicated to management is that of Director. All counsel, including the Director, provide legal services to clients. Most counsel are assigned to provide legal services to one or more client departments or agencies. The larger clients are served by more than one counsel.

Administration

The day to day operations of CLS are managed by the Director, who reports directly to the Deputy Minister of Justice.

Within CLS, the "Action Committee" deals with administrative and other matters affecting its operations. The Action Committee consists of the Director, six legal counsel, the Financial Officer, the Administrative Officer and two administrative assistants and generally meets on a quarterly basis.

All members of CLS are expected to do what is necessary to meet client needs. They are given the information and authority needed to provide clients with timely and appropriate services.

ADVISORY BOARD

The Director provides plans and reports to the Advisory Board, established under the CLS Operating Charter, for review and consultation. The Advisory Board members are appointed by the Minister of Justice and the Board is chaired by the Deputy Minister. The Board's role is to provide advice to CLS on its direction, the provision of services, its structure and on its mandate, business practices and financial reporting requirements.

As of March 31, 2010 the members of the Advisory Board were:

Ex officio

- Deputy Minister of Justice
  Chairperson
- Assistant Deputy Minister of Justice
- Director of CLS

External Representatives

- Richard Olfert
  Managing Partner
  Deloitte & Touche
- Don Martin
  President
  Don N. Martin Inc.

Client Representatives

- Hugh Eliasson
  Deputy Minister
  Entrepreneurship, Training & Trade
- Marlene Zyluk
  Executive Director
  Corporate Crown Lands
  Conservation

Representative of the Members of CLS

- W. Glenn McFetridge
  General Counsel

CIVIL LEGAL SERVICES CONTACTS

Civil Legal Services SOA
Manitoba Justice
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Winnipeg MB R3C 3L6
Phone: (204) 945-2832
Fax: (204) 948-2041

C. Lynn Romeo
Director
(204) 945-2845

Maria Ducharme
Financial Officer
(204) 945-2956

Wendy Roche
Administrative Officer
(204) 945-0303

Eleanor Andres
Team Leader & General Counsel
(204) 945-0250

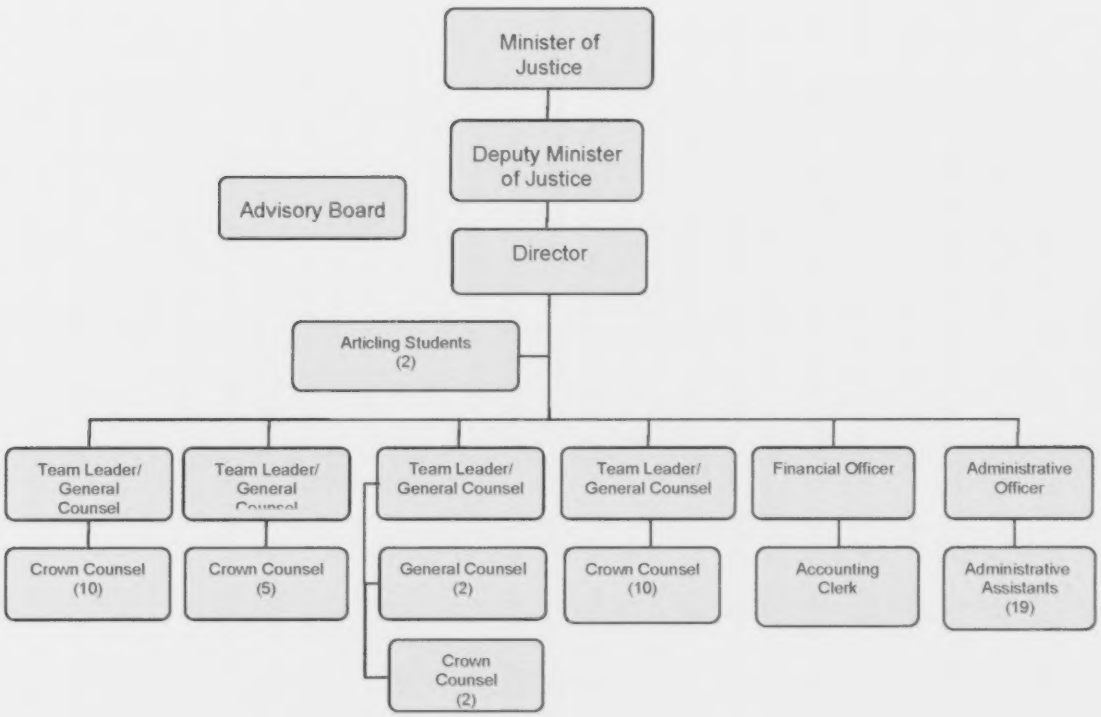
Gord E. Hannon
Team Leader & General Counsel
(204) 945-0242

W. Glenn McFetridge
Team Leader & General Counsel
(204) 945-2843

Stewart Pierce
Team Leader & General Counsel
(204) 945-2835

CIVIL LEGAL SERVICES
ORGANIZATION CHART 2009/10

As at March 31, 2010



SUSTAINABLE DEVELOPMENT

In December 2002, in accordance with Manitoba's Sustainable Development Procurement Guidelines, an Organizational Action Plan for the Department of Justice was developed. CLS adopted the Action Plan of Justice and implemented the goals that were applicable to its operation.

All CLS employees have worked toward the common objective of realizing the Province's sustainable development goals. The use of duplex printing and double-sided photocopying to reduce paper consumption, and participation in recycling programs were common practice in 2009/10. When feasible, CLS purchased and used environmentally preferable products and services, e.g. recycled paper and recycled toner cartridges for printers and fax machines.

PERFORMANCE INDICATORS AND ACHIEVEMENTS

In the 2009/10 CLS Business Plan, CLS established the following performance indicators for the year which set achievement levels for CLS.

Client Satisfaction

Performance Indicator: Meetings with clients to discuss service.
Performance: Meetings completed.

Over the 2009/10 fiscal year, the Director of CLS met with Deputy Ministers and/or representatives of CLS's client departments and representatives of its Crown corporation clients to discuss the commitment of CLS to providing client-focused, high quality services; the services provided and the benefit of those services to the client; the cost-effective nature of the services; and client concerns and issues.

Performance Indicator: Use Client Comment Cards to regularly solicit client feedback as to their level of satisfaction.
Performance: Client Comment Cards distributed.

Since March 1997 CLS has been sending out Client Comment Cards on a quarterly basis to clients in order to obtain ongoing feedback. The feedback continues to be positive in 2009/10, with 90% of clients responding to the Client Comment Cards indicating that they were satisfied or more than satisfied with the services provided. (Client Comment Cards were not sent out in 2005/06 or in 2008/09 as the Client Satisfaction Surveys were conducted).

Performance Indicator: Review of Service Standards.
Performance: Service Standards reviewed.

The CLS Service Standards were established in 1995/96, and have been reviewed regularly. Service standards are needed to ensure client satisfaction with the services provided and to assure the ongoing maintenance of a high standard of service delivery. CLS Service Standards are designed to ensure that CLS will continue to provide clients with a service which they value by providing a measure by which the quality of the legal services provided by CLS may be judged by those receiving the services (the client) and others, and by providing the staff of CLS with objective standards to be observed in carrying out their responsibilities.

There was nothing in the feedback from clients in 2009/10 to suggest that any amendment was required in the CLS Service Standards. Accordingly, CLS determined that no change to the Standards was necessary.

Performance Indicator: Publish three information bulletins.
Performance: Three information bulletins published.

In order to inform its clients on significant legal issues and related matters of interest, CLS published three Information Bulletins in 2009/10:

1. *Official Marks*
2. *Summary of Manitoba Government Bills: 3rd Session, 39th Legislature*
3. *Special Investigative Reports – Privacy Issues under FIPPA, Liability Issues at Common Law*

To achieve the widest possible distribution of its Information Bulletins across government, CLS posted these and other recently published bulletins on the Justice Intranet.

Performance Indicator: ***Educational seminars for clients on current legal issues and developments.***

Performance: ***Members of CLS were directly involved in providing or presenting at a variety of seminars.***

CLS counsel were involved in providing a number of seminars, presentations and training sessions, including the following:

Seminars/Presentations and Workshops/Training Sessions

Client/Participant	Topic/Issue
Government Access & Privacy Coordinators	• Case study re complaint on collection of personal information • Recent legislation with information provisions or privacy related provisions
Conservation	*The Forest Health Protection Act*
University of Manitoba (Faculty of Education)	Teacher Certification Issues
University of Manitoba – Public Administration Program (Faculty of Arts)	Role of international human rights instruments in interpreting Canadian law
Family Services & Consumer Affairs	▪ Child Abuse Committee Coordinator's Conference – Court of Appeal Decisions ▪ Presentation on "Reasons for Decision" to Appeal Panel members of Housing Cooperative Boards
Health	Presentation to Manitoba Health Appeal Board on the role of the Manitoba Council of Administrative Tribunals
Manitoba Housing	Tender Documents for Project Managers
Chairs/Board Members of Manitoba Administrative Tribunals	▪ Manitoba Council of Administrative Tribunals Fourth Annual Conference; including panel presentations on "The Art of Writing Reasons for Decision – Adequate Reasons for Decision"; Recent Cases ▪ Fifth Rothstein Lecture – Writing Reasons for Judgment
Manitoba Council of Administrative Tribunals	▪ New member Training Program, including presentation on "The Role of a Tribunal Member"
Uniform Law Conference of Canada	▪ Wills and Succession ▪ Conflicts Provisions and New Projects
Water Stewardship – Water Resource Officer Trainees	*The Water Rights Act*

Job Satisfaction

Performance Indicator: ***Focus on use of CLS Annual Staff Review Process.***
Performance: ***Staff reviews conducted.***

Implemented in 1997/98, the review process with respect to the members of CLS is intended to facilitate achieving the Mission of CLS and to contribute to the benefits identified as flowing from the Review Process, including: improving communication within CLS, clarifying roles and expectations, improving job satisfaction, assisting with career planning and training, and assisting the members of CLS to work as effectively as possible.

Performance Indicator: ***Conduct and act on results of Job Satisfaction Survey***
Performance: ***Fourth Job Satisfaction Survey completed in August 2009.***

In August 2009, Organization and Staff Development, on behalf of CLS, conducted a fourth job satisfaction survey of the members of CLS. The survey process utilized individual, confidential interviews to obtain and facilitate staff input.

Overall, the results of the survey were positive, being in the 4 to 4.5 out of 5 range. Areas for improvement were noted and CLS is working towards addressing those concerns as effectively as possible.

Fiscal Performance

Performance Indicator: ***To recover the cost of operations.***
Performance: ***CLS recovered the cost of operations with a surplus.***

Performance Indicator: ***To meet daily average billable hour target of 6.0 hours per billable day over the year.***
Performance: ***Target exceeded.***

The daily average billable hour target per lawyer of 6.0 hours per billable day during 2009/10 was exceeded and CLS recovered the cost of its operations. These results reflect a high level of productivity on the part of the members of CLS.

Performance Indicator: ***To make a revenue sharing payment as directed.***
Performance: ***CLS made a revenue sharing payment of $250 as directed.***

As directed by Treasury Board, CLS paid quarterly revenue sharing payments totaling $250 in 2009/10.

PERFORMANCE MEASUREMENT

Performance measurement outcomes for staffing, client service, client satisfaction and cost savings are attached as Appendix A.

Cost Effectiveness

(In Thousands)

Annual Cost Savings

The cost recovery for legal services was introduced as a budget reduction measure. Unlike the approach taken with respect to the recovery of rental costs by Government Services, the client departments of CLS were not given any additional funding to cover the cost of legal services. This means that the amount charged each year to each client represents a net reduction in the client budget and an on-going budgetary savings to government.

Following this approach, the total savings from April 1, 1995, to March 31, 2010, are $67,093.

Net Income

As CLS operates very cost effectively, such that each year it has recovered an amount that exceeds its annual operating costs, the difference between the dollar value of service provided each year and the cost to government of CLS's operations in that year in effect is another way of calculating a cost savings as those funds are collected by CLS from clients but not expended. Looking at savings in this fashion, the annual net income of CLS each year could be considered to be a government cost saving.

Total savings to March 31, 2010, are $3,919.

Revenue Sharing

A third way of calculating cost savings to government would be to include revenue sharing payments from the retained earnings of CLS paid to government. In 1998/99, CLS made a $400 revenue sharing payment to the government and in 1999/2000, CLS contributed $500. In 2000/01, CLS was directed to budget for a $500 payment towards revenue sharing. No revenue sharing payment was required for 2001/02. CLS was directed to submit revenue sharing payments in the amount of $200 in each fiscal year from 2002/03 to and including 2008/09. In addition, CLS agreed to make an additional revenue sharing payment of $50 in 2005/06. In 2009/10, CLS was directed to budget for and submit a $250 payment towards revenue sharing.

Total savings to March 31, 2010, are $3,100.

THE PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWER PROTECTION) ACT

Any disclosures of wrongdoing received by Civil Legal Services SOA pursuant to *The Public Interest Disclosure (Whistleblower Protection) Act* will be reported in the annual report of Manitoba Justice. For further information, please refer to the 2009/10 annual report of Manitoba Justice.

FINANCIAL

(In Thousands)

Summary

Financial highlights from the 2009/10 fiscal year are given below:

($ Thousands)	Actual 2008/09	Actual 2009/10	Budget 2009/10	% Variance
Recoveries	$ 6,321	$ 6,597	$ 6,813	-3.2
Other Income	4	6	14	-57.1
Income before Expenses	**$ 6,325**	**$ 6,603**	**$ 6,827**	**-3.3**
Expenses				
Advertising and Promotion	1	1	2	-50.0
Amortization	28	34	33	3.0
Communications	40	41	44	-6.8
Computer	57	66	64	3.1
Desktop Management Initiative	159	174	166	4.8
Equipment Rental	4	2	4	-50.0
Government Records Centre	27	28	28	0.0
Law Society Fees	52	51	51	0.0
Miscellaneous	6	9	10	-10.0
Occupancy	233	240	240	0.0
Office	56	30	54	-44.4
Postage and Deliveries	12	13	12	8.3
Professional Fees and Services	45	51	50	2.0
Publications	33	37	32	15.6
Travel	28	21	42	-50.0
Wages and Benefits	5,146	5,468	5,767	-5.2
Total Expenses	**$ 5,927**	**$ 6,266**	**$ 6,599**	**-5.0**
Net Income	**$ 398**	**$ 337**	**$ 228**	**47.8**
Retained Earnings, beginning of year	534	732	653	
Revenue Sharing	(200)	(250)	(250)	
Retained Earnings, end of year	**$ 732**	**$ 819**	**$ 631**	

As a special operating agency, the financial statements of CLS and the results of its operations and cash flow for the year ended have been prepared in accordance with Canadian generally accepted accounting principles.

Net Income

CLS's net income for the 2009/10 fiscal year is $109 (47.8%) over budget, which is attributable to:

(a) CLS's ability to use its staffing flexibility to provide a level of service appropriate to client demand;
(b) a high level of productivity on the part of the members of CLS; and
(c) strong demand for legal services.

Total Expenses

Total expenses for CLS to March 31, 2010, are $333 (5.0%) under budget. This is mainly attributable to:

Office and Desktop Management Initiative

Office is $24 (44.4%) under budget
Desktop Management Initiative is $8 (4.8%) over budget

The Government's Printer Refresh Initiative occurred during the second quarter of the fiscal year exchanging aging printers, photocopiers, color copier, facsimile machines and scanners with new multi-function devices. As a result CLS's office expenses were reduced significantly, with a minimal offsetting increase to leasing expenses under the existing Desktop Management Initiative.

Travel

Travel is $21 (50.0%) under budget, attributable to a decrease in out of province travel and a proportionate decline in the costs associated with travel including air fare, hotel, and food and beverage costs.

Wages and Benefits

Wages and Benefits are $299 (5.2%) under budget. Savings in wages and benefits resulted largely from:

(a) CLS staff participating in the Voluntary Reduced Work Week Program;
(b) secondments of Crown counsel;
(c) administrative assistant on leave of absence; and
(d) staff resignations.

APPENDIX A

Performance Measurement

	Objective	Baseline 1995/96*	2000/01*	2001/02*	2002/03*
Input Measures	To provide timely, high quality, helpful, efficient and cost-effective legal services that meet the needs of its clients, namely, the Government of Manitoba, the government's agencies, boards and committees and those Crown corporations to which CLS provides legal services	32 Full time employees (FTE) 20 counsel 1 articling student 9 admin assistants 1 admin officer 1 director	56 30 counsel* 2 articling students 20 admin assistants 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes four counsel and three admin assistants on maternity leave in 2000/01	59 31 counsel* 2 articling students 22 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes four counsel and two admin assistants on maternity and extended leave for varying lengths	57 30 counsel* 2 articling students 21 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes four counsel and four admin assistants on maternity and extended leave for varying lengths
Output Measures	Number of hours of service provided	27,860 hours	41,716 hours	40,328 hours	40,886 hours
Activity Measures	Average billable hour target per billable day per counsel	6.5 hours	6.1 hours	6.0 hours	6.0 hours
	Average actual billable hours per billable day per counsel	Achieved	Achieved	Achieved	Achieved
Outcome Measures					
Client Satisfaction	General Client Survey	92% of respondents satisfied or more than satisfied**	No survey	Survey deferred to 2002/03	97% of respondents satisfied or more than satisfied
	Client Comment Cards Introduced in February 1997		73% of respondents more than satisfied and 27% of respondents satisfied	94% of respondents satisfied or more than satisfied	96% of respondents satisfied or more than satisfied
Cost Effectiveness Cost Savings (000's)	Annual Cost Savings The amount charged each year to each client represents a net reduction in the client budget and an on-going budgetary savings to government. The total savings to March 31, 2010, are $67,093	$2,702	$4,155	$4,316	$4,789
	Net Income The difference between the dollar values of service provided each year and the cost to government of CLS's operations in that year. Total savings to March 31, 2010, are $3,919	CLS Net Income $524	CLS Net Income $445	CLS Net Income $159	CLS Net Income $363
	Revenue Sharing Total savings to March 31, 2010, are $3,100		Revenue Sharing Payment $500	Revenue Sharing Payment $0	Revenue Sharing Payment $200

*Figures are taken from the Annual Report for each applicable year.
**CLS uses the results of the 1996 Client Satisfaction Survey as an ongoing baseline and target for client satisfaction.

2003/04*	2004/05*	2005/06*	2006/07*	2007/08*	2008/09*	2009/10
58	58	58	57	57	58	58
31 counsel* 2 articling students 20 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director 1 law student *includes six counsel and five admin assistants on maternity and extended leave for varying lengths	31 counsel* 2 articling students 21 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes five counsel and three admin assistants on maternity and extended leave for varying lengths	31 counsel* 2 articling students 21 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes two counsel on secondment and one admin assistant on maternity leave	31 counsel* 2 articling students 20 admin assistants 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes four counsel on secondment and one counsel on maternity leave	31 counsel* 2 articling students 20 admin assistants 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes three counsel on secondment and two counsel on maternity leave	33 counsel 2 articling students 19 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes two counsel on secondment and one admin assistant on maternity leave	33 counsel* 2 articling students 19 admin assistants* 1 admin officer 1 accounting clerk 1 financial officer 1 director *includes two counsel on secondment and one admin assistant on leave
38,567 hours	40,394 hours	42,729 hours	40,320 hours	39,178 hours	44,009 hours	43,725 hours
6.0 hours	6.0 hours	6.0 hours	6.0 hours	6.0 hours	6.0 hours	6.0 hours
Achieved	Achieved	Achieved	Achieved	Achieved	Achieved	Achieved
No survey	No survey	98% of respondents satisfied or more than satisfied	No survey	No survey	94% of respondents satisfied or more than satisfied	No Survey
93% of respondents satisfied or more than satisfied	97% of respondents satisfied or more than satisfied	Client Comment Cards not sent due to Client Survey being conducted	97% of respondents satisfied or more than satisfied	100% of respondents satisfied or more than satisfied	Client Comment Cards not sent due to Client Survey being conducted	90% of respondents satisfied or more than satisfied
$4,668	$5,011	$5,405	$5,199	$5,254	$6,321	$6,597
CLS Net Income $146	CLS Net Income $193	CLS Net Income $456	CLS Net Income $16	CLS Net Income $5	CLS Net Income $398	CLS Net Income $337
Revenue Sharing Payment $200	Revenue Sharing Payment $200	Revenue Sharing Payment $250	Revenue Sharing Payment $200	Revenue Sharing Payment $200	Revenue Sharing Payment $200	Revenue Sharing Payment $250

*Figures are taken from the Annual Report for each applicable year.
**CLS uses the results of the 1996 Client Satisfaction Survey as an ongoing baseline and target for client satisfaction.

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In reply, please refer to:
C. Lynn Romeo
Chief Operating Officer

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Civil Legal Services
An Agency of the
Special Operating Agencies Financing Authority
Province of Manitoba
Responsibility of Financial Reporting

The Agency's management is responsible for the financial statements and other financial information in the annual report. This responsibility includes maintaining the integrity and objectivity of financial data and the presentation of the Agency's financial position and the results of operations in accordance with generally accepted accounting principles. The financial statements have been audited by Magnus & Buffie, Chartered Accountants, independent external auditors.

The Agency maintains a system of internal controls throughout its operation that provides reasonable assurance that the transactions are authorized, properly recorded and reported and that the assets are safeguarded.

The Advisory Board meets regularly with management to review accounting practices, financial reporting and to discuss audit results. The auditors have free and full access to this Board, and to discuss the results of their audit and their views on the adequacy of internal controls and the quality of the financial reporting.

ORIGINAL SIGNED BY

C. Lynn Romeo
Chief Operating Officer

May 13, 2010

CIVIL LEGAL SERVICES

FINANCIAL STATEMENTS

MARCH 31, 2010

MAGNUS & BUFFIE

CHARTERED ACCOUNTANTS

AUDITORS' REPORT

To the Special Operating Agencies Financing Authority

We have audited the balance sheet of Civil Legal Services, an Agency of the Special Operating Agencies Financing Authority, Province of Manitoba as at March 31, 2010 and the statements of earnings and retained earnings and cash flow for the year then ended. These financial statements are the responsibility of the Agency's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Agency as at March 31, 2010 and the results of its operations and cash flow for the year then ended in accordance with Canadian generally accepted accounting principles.

Magnus & Buffie

May 14, 2010

CHARTERED ACCOUNTANTS

430 Five Donald Street· Winnipeg, Manitoba · R3T 2T4 · Phone (204) 942-4441 · Fax (204) 944-0400

CIVIL LEGAL SERVICES
AN AGENCY OF THE SPECIAL OPERATING AGENCIES FINANCING AUTHORITY
PROVINCE OF MANITOBA

Balance Sheet
(in thousands)
March 31, 2010

	2010	2009
Assets		
Current assets:		
Cash and short term deposits	$ 977	$ 827
Accounts receivable	704	656
	1,681	1,483
Long term investments (Note 5)	379	379
Capital assets (Note 6)	82	78
Trust asset	9	9
	$ 2,151	$ 1,949
Liabilities and Equity		
Current liabilities:		
Accounts payable and accrued	$ 79	$ 63
Accrued vacation entitlements	500	496
	579	559
Severance liability (Note 7)	744	649
Trust liability	9	9
	1,332	1,217
Equity:		
Retained earnings	819	732
	$ 2,151	$ 1,949

CIVIL LEGAL SERVICES
AN AGENCY OF THE SPECIAL OPERATING AGENCIES FINANCING AUTHORITY
PROVINCE OF MANITOBA

Statement of Income, Comprehensive Income and Retained Earnings
(in thousands)
Year ended March 31, 2010

	2010	2009
Revenue:		
Recoveries	$ 6,597	$ 6,321
Interest and other	6	4
	6,603	6,325
Expenses:		
Advertising and promotion	1	1
Amortization	34	28
Communications	41	40
Computer	66	57
Desktop management initiative	174	159
Equipment rental	2	4
Government records centre	28	27
Law Society fees	51	52
Miscellaneous	9	6
Occupancy	240	233
Office	30	56
Postage and deliveries	13	12
Professional fees and services	51	45
Publications	37	33
Travel	21	28
Wages and benefits	5,468	5,146
	6,266	5,927
Net income and comprehensive income for the year	337	398
Retained earnings, beginning of year	732	534
	1,069	932
Revenue sharing - Province of Manitoba	250	200
Retained earnings, end of year	$ 819	$ 732

CIVIL LEGAL SERVICES
AN AGENCY OF THE SPECIAL OPERATING AGENCIES FINANCING AUTHORITY
PROVINCE OF MANITOBA

Statement of Cash Flow
(in thousands)
Year ended March 31, 2010

	2010	2009
Cash flow from (used in)		
Operating activities:		
Net earnings for the year	$ 337	$ 398
Adjustment for		
Amortization	34	28
	371	426
Changes in the following		
Accounts receivable	(48)	(4)
Accounts payable and accrued	16	30
Revenue sharing - Province of Manitoba payable	-	(50)
Accrued vacation entitlements	4	27
Severance liability	95	66
	438	495
Financing activity:		
Revenue sharing - Province of Manitoba	(250)	(200)
Investing activities:		
Capital asset additions	(38)	(39)
Change in long term investments	-	(379)
Change in receivable from Province of Manitoba	-	379
	(38)	(39)
Change in cash and short term deposits	150	256
Cash and short term deposits, beginning of year	827	571
Cash and short term deposits, end of year	$ 977	$ 827

1. Nature of organization

The role of Civil Legal Services (the "Agency") flows from the constitutional and statutory responsibilities of the Minister of Justice as the Chief Legal Advisor to government and the guardian of the public interest. Acting pursuant to government policy, the Agency is responsible for providing a full range of high quality legal services, on a cost recovery basis, to its clients, namely the Province of Manitoba, the province's agencies, boards and commissions and some Crown organizations.

Effective April 1, 1995, the Agency was designated as a Special Operating Agency pursuant to The Special Operating Agencies Financing Authority Act, Cap. s185, C.C.S.M. and operates under a charter approved by the Lieutenant Governor in Council.

The Agency is financed through the Special Operating Agencies Financing Authority (SOAFA). The Financing Authority has the mandate to hold and acquire assets required for and resulting from Agency operations. It finances the Agency through repayable loans and working capital advances. The financial framework provides increased management authority which, coupled with more rigorous planning and reporting requirements afforded by Special Operating status, assists the Agency to sustain the provision of high quality legal services to its clients.

A Management Agreement between the Financing Authority and the Minister of Justice assigns responsibility to the Agency to manage and account for the Agency related assets and operations on behalf of the Financing Authority.

The Agency continues to be part of Manitoba Justice under the general direction of the Deputy Minister and Minister.

The Agency remains bound by relevant legislation and regulations. It is also bound by administrative policy except where specific exemptions have been provided for in its charter in order to meet business objectives.

The Agency is economically dependent on the Province of Manitoba because it derives most of its revenue from the Province and all of its financing requirements through the Financing Authority.

2. Change in accounting policies

New Accounting Policies

Section 3064 Goodwill and Intangible Assets

Effective April 1, 2009, the Agency adopted the recommendations of the Canadian Institute of Chartered Accountants ("CICA") Handbook section 3064 Goodwill and Intangible Assets and the updates to CICA Handbook section 1000 Financial Statement Concepts.

This guidance establishes updated standards for the recognition, measurement, presentation and disclosure of goodwill and intangible assets.

These changes did not have an impact on the Agency's financial statements for the year ended March 31, 2010.

2. Change in accounting policies (continued)

Credit Risk and Fair Value of Financial Assets and Financial Liabilities

During 2009 the Agency adopted the Emerging Issues Committee (EIC) 173 and amendments to Section 3855, Financial Instruments - Recognition and Measurement and 3862, Financial Instruments - Disclosures:

- Section 3855 – Effective Interest Method
- Section 3855 – Embedded Derivatives on Reclassification of Financial Assets
- Section 3855 – Impairment of Financial Assets
- Section 3862 – Fair Value and Liquidity Risk Disclosure

Due to the nature of the Agency's financial instruments, the adoption of these standards and amendments had no material impact on the financial statements of the Agency.

Future Accounting Changes

Convergence with Public Sector Accounting Standards as issued by the Public Sector Accounting Board

Effective April 1, 2011 the Agency will be adopting Public Sector Accounting Standards issued by the Public Sector Accounting Board. The Agency is currently in the process of quantifying the impact these changes will have on its financial statements.

3. Summary of significant accounting policies

Basis of Reporting: The financial statements have been prepared in accordance with Canadian generally accepted accounting principles. The significant accounting policies are summarized as follows:

Capital Assets: Capital assets are recorded at cost and are amortized over their estimated useful lives as follows:

Computer Equipment and Software	20% straight line (10% in year of acquisition)
Furniture and Fixtures	20% straight line (10% in year of acquisition)
Leasehold Improvements	20% straight line (10% in year of acquisition)

Revenue recognition

The percentage of completion method of accounting is used, whereby revenue is recognized proportionately with the degree of completion of the legal services provided.

Capital disclosures

The Agency's capital management policy is to maintain sufficient capital to meet its objectives through its retained earnings by managing transfers of surplus funds to the Province of Manitoba; meet short-term capital needs with working capital advances from the Province of Manitoba; and meet long-term capital needs through long-term debt with the Province of Manitoba. There were no changes in the Agency's approach to capital management during the period. The Agency's capital consists of retained earnings provided from operations and special purpose reserve funds allocated from retained earnings.

The Agency is not subject to externally imposed capital requirements.

3. Summary of significant accounting policies (continued)

Use of estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Financial instruments - recognition and measurement

Financial assets and liabilities are initially recorded at fair value. Measurement in subsequent periods depends on the financial instrument's classification. Financial instruments are classified into one of the following five categories: held for trading; available for sale; held to maturity; loans and receivables; and other financial liabilities. All financial instruments classified as held for trading or available for sale are subsequently measured at fair value with any change in fair value recorded in net earnings and other comprehensive income, respectively. All other financial instruments are subsequently measured at amortized cost.

The financial assets and liabilities of the Agency are classified and measured as follows:

Financial instrument	Category	Measurement
Cash and short term deposits	Held-for-trading	Fair value
Accounts receivable	Loans and receivables	Amortized cost
Long term investments	Held-for-trading	Fair value
Accounts payable and accrued	Other financial liabilities	Amortized cost
Accrued vacation entitlements	Other financial liabilities	Amortized cost

Amortized cost is determined using the effective interest rate and method.

Gains and losses on financial instruments subsequently measured at amortized cost are recognized in the statement of income, comprehensive income and retained earnings in the period the gain or loss occurs. Changes in fair value on financial instruments classified as held for trading are recognized in the statement of income, comprehensive income and retained earnings for the current period. Changes in fair value on financial instruments classified as available for sale would be recorded in other comprehensive income until realized, at which time they would be recorded in the statement of income, comprehensive income and retained earnings.

Fair value of financial instruments

The fair values of accounts receivable, accounts payable and accrued and accrued vacation entitlements approximates their carrying values due to their short-term maturity.

4. Financing arrangements

The Special Operating Agencies Financing Authority has provided the Agency with an authorized line of working capital of $200 of which $nil was used at March 31, 2010.

5. Long term investments

The Province of Manitoba accepted responsibility for the vacation entitlements earned by the employees of the Agency prior to its designation as SOA, and the severance pay benefits accumulated to March 31, 1998 for certain of the Agency's employees. Accordingly, the Agency recorded a receivable of $379 from the Province of Manitoba for these accumulated benefits. Effective March 31, 2009 the Province of Manitoba paid the receivable balances related to the funding for these liabilities and has placed the amount of $379 into a trust account bearing interest at 0.80% and maturing on March 30, 2011 to be held on the Agency's behalf until the cash is required to discharge the related liabilities. However, this is only likely to happen on the dissolution of the Agency. As such, this amount has been classified as a long term asset.

6. Capital assets

	Cost	Accumulated Amortization	Net Book Value 2010	Net Book Value 2009
Computer Equipment and Software	$ 156	$ 129	$ 27	$ 26
Furniture and Fixtures	268	232	36	42
Leasehold Improvements	77	58	19	10
	$ 501	$ 419	$ 82	$ 78

7. Severance liability

Effective April 1, 1998, the Agency began recording accumulated severance pay benefits for its employees. The amount of severance pay obligations is based on actuarial calculations. The periodic actuarial valuations of these liabilities may determine that adjustments are needed to the actuarial calculations when actual experience is different from that expected and/or because of changes in actuarial assumptions used. The resulting actuarial gains or losses are amortized over the expected average remaining service life of the related employee group.

An actuarial report was completed for the severance pay liability as of March 31, 2008. The report provides a formula to update the liability on an annual basis. In accordance with the formula, the Agency's actuarially determined net liability for accounting purposes as at March 31, 2010 was $744 (2009 - $649), with the actuarial loss being amortized over the 15 year expected average remaining service life of the employee group.

Significant long-term actuarial assumptions used in the March 31, 2008 valuation, and in the determination of the March 31, 2010 present value of the accrued severance benefit obligation were:

Annual rate of return	
inflation component	2.50%
real rate of return	4.00%
	6.50%
Assumed salary increase rates	
annual productivity increase	0.75%
annual general salary increase	3.50%
	4.25%

8. Pension benefits

Employees of the Agency are eligible for pension benefits in accordance with the provisions of the Civil Service Superannuation Act (CSSA), administered by the Civil Service Superannuation Board (CSSB). The CSSA established a defined benefit plan to provide benefits to employees of the Manitoba Civil Service and to participating agencies of the Government, including the Agency, through the Civil Service Superannuation Fund (CSSF).

Effective March 31, 2001, pursuant to an agreement with the Province of Manitoba, the Agency transferred to the Province the pension liability for its employees.

Commencing April 1, 2001, the Agency was required to pay to the Province an amount equal to its employees' current pension contributions. The amount paid for 2010 was $328 (2009 - $224). Under this agreement the Agency has no further pension liability.

9. Lease commitments

The Agency has not entered into a lease agreement with the Province of Manitoba for rental facilities at 405 Broadway. Occupancy charges for the year ending March 31, 2011 are estimated to be $243.

10. Financial instruments - risk management

In the normal course of operations the Agency is exposed to various financial risks. The financial risk management objectives and policies are as follows:

Credit risk

Credit risk is the risk that one party to a financial instrument fails to discharge an obligation and causes financial loss to another party. Financial instruments which potentially subject the Agency to credit risk consist principally of cash and short term deposits, accounts receivable and long term investments.

The maximum exposure of the Agency to credit risk at March 31, 2010 is:

Cash and short term deposits	$	977
Accounts receivable		704
Long term investments		379
	$	2,060

Cash and short term deposits and long term investments: The Agency is not exposed to significant credit risk as the cash and term deposits are primarily held by the Minister of Finance.

Accounts receivable: The Agency is not exposed to significant credit risk as the nature of the accounts receivable is with related entities and consists of a large client base and payment in full is typically collected when it is due. The Agency establishes an allowance for doubtful accounts that represents its estimate of potential credit losses. The allowance for doubtful accounts is based on management's estimates and assumptions regarding current market conditions, customer analysis and historical payment trends. These factors are considered when determining whether past due accounts are allowed for or written off. The balance in the allowance for doubtful accounts at March 31, 2010 was $nil (2009 - $nil)

10. Financial instruments - risk management (continued)

Liquidity risk

Liquidity risk is the risk that the Agency will not be able to meet its financial obligations as they come due.

The Agency manages liquidity risk by maintaining adequate cash balances and by review from the Province of Manitoba to ensure adequate funding will be received to meet the obligations.

Market risk

Market risk is the risk that changes in market prices, such as interest rates and foreign exchange rates, will affect the Agency's income or the fair values of its financial instruments. The significant market risk the Agency is exposed to is interest rate risk.

Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The interest rate exposure relates to short term deposits.

The interest rate risk on short term deposits is considered to be low because of their short-term nature.

CIVIL LEGAL SERVICES
AN AGENCY OF THE SPECIAL OPERATING AGENCIES FINANCING AUTHORITY
PROVINCE OF MANITOBA

Schedule of public sector compensation disclosure
(in thousands)
Year ended March 31, 2010

Pursuant to the disclosure required by the Public Sector Compensation Disclosure Act, no remuneration or other benefits were paid to the Advisory Board members. The following employees or officers received compensation of $50 or more.

Employee	Title	Compensation	
		2010	2009
I. Allen	Legal Counsel	$ 127	$ 121
E. Andres	Legal Counsel	133	126
S. Bahir	Legal Counsel	60	51
J. Barak	Legal Counsel	129	123
A. Berg	Legal Counsel	135	127
T. Bjornson	Legal Counsel	124	118
S. Boyd	Legal Counsel	95	89
T. Brothers	Legal Counsel	118	107
M. Ducharme	Financial Officer	65	64
J. Frederickson	Legal Counsel	96	111
I. Frost	Legal Counsel	129	123
D. Gisser	Legal Counsel	129	123
D. Guenette	Legal Counsel	129	122
S. Haner	Legal Counsel	123	107
G. Hannon	Legal Counsel	135	129
B. Jones	Legal Counsel	117	108
J. Kapac	Legal Counsel	126	121
A. Ladyka	Legal Counsel	114	105
D. Lofendale	Legal Counsel	129	121
W. McFetridge	Legal Counsel	135	129
M. McGunigal	Legal Counsel	124	117
G. Mildren	Legal Counsel	135	129
S. Monkman	Legal Counsel	60	-
S. Pierce	Legal Counsel	135	129
W. Roche	Administrative Officer	52	-
C. Romeo	Senior Legal Officer	138	131
L. Ross	Legal Counsel	126	117
V. Smith	Legal Counsel	98	91
T. Sterling	Legal Counsel	71	64
A. Stevens	Legal Counsel	103	85
M. Stonyk	Legal Counsel	77	69
N. Trenholm	Legal Counsel	129	123
L. Turner	Legal Counsel	91	85
M. Webb	Legal Counsel	129	123
I. Wiebe	Legal Counsel	116	108
R. Winters	Legal Counsel	129	123
K. Wright	Legal Counsel	75	58